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Serial No. 10/615,581

REMARKS

Claims 1-20 were pending and rejected. Claim 5 has been cancelled. Claims 21-26 are added.

Claims 1, 2, 11-13 and 16 are rejected over Stanley (US 6,703,845). Claims 1 and 11 have been amended to include the recitations of claim 5, which was previously rejected over Stanley in view of Owechko (US 6,801,662). Neither reference discloses a system that determines that a child seat is present on the vehicle seat based upon a load sensor exceeding an empty-seat-threshold-and-based-upon-an-occupant-presence-sensor-indicating-that-no-occupant-is present. The Examiner argues that Stanley discloses this feature. However, there is no empty seat load sensor threshold in Stanley and Stanley does not determine that a child seat is present based upon this threshold being exceeded in combination with an indication that no occupant is present. Therefore, claims 1 and 11 are patentable.

Claim 16 recites "determining a position of a head of the occupant." Stanley does not determine a position of the head of an occupant. Stanley only discloses whether there is an occupant is present, but does not determine a position of the occupant's head. Therefore, claim 16 is not anticipated by Stanley.

Claims 9-10 and 18-20 have been rejected as obvious over Stanley and Owechko and further in view of Breed (US 6,412,813). None of these references discloses comparing an angle of the occupant to an angle of the seat back in order to determine whether the occupant is leaning against the seat back, or determining the weight of the occupant based upon whether the occupant is leaning against the seat back. Therefore, claims 9-10 and 18-20 are patentable.

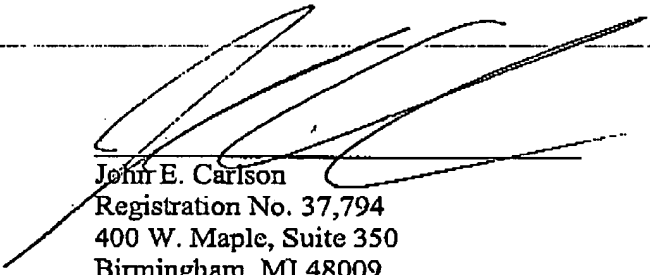
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Please charge \$125.00 for five claims in excess of twenty and \$50 for one additional independent claim to Deposit Account No. 50-1483 in the name of Carlson, Gaskey & Olds, P.C. If any additional fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Respectfully submitted,

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